

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SAMMY DENNIS,

Plaintiff,

v.

UNITED VAN LINES, LLC,

Defendant.

Civil Action No. 4:17-CV-01614

MOTION TO COMPEL ARBITRATION OR DISMISS COMPLAINT

Pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 et seq., and the Missouri Uniform Arbitration Act, MO. REV. STAT. § 435.350, et seq., Defendant United Van Lines, LLC respectfully moves this Court to enter an order enforcing the arbitration agreement entered into by Plaintiff Sammy Dennis. Alternatively, Defendant moves to dismiss the Complaint pursuant to Rule 12 of the Federal Rules of Civil Procedure because the Complaint should be transferred to another venue under the first-filed rule or dismissed because Plaintiff fails to plead a claim for relief under the FLSA or the MMWL.

WHEREFORE, for the reasons stated in Defendant's Memorandum in Support, Defendant respectfully requests that this Court compel arbitration of Plaintiff's claims, or, alternatively, transfer dismiss the Complaint.

Date: July 25, 2017

Respectfully submitted,

/s/ Michael J. Morris

One of Defendant's Attorneys

Kyle A. Petersen (pro hac vice application to be filed)

kpetersen@seyfarth.com

Noah A. Finkel (pro hac vice application to be filed)

nfinkel@seyfarth.com

Cheryl A. Luce (pro hac vice application to be filed)

cluce@seyfarth.com

SEYFARTH SHAW LLP

233 South Wacker Drive, Suite 8000

Chicago, Illinois 60606

Telephone: (312) 460-5000

Faxsimile: (312) 460-7000

Booker T. Shaw, MO - 25548MO

Michael J. Morris, MO - 32354MO

Laura M. Jordan, MO - 48755MO

THOMPSON COBURN LLP

One US Bank Plaza

St. Louis, Missouri 63101

Telephone: (314) 552-6000

Faxsimile: (314) 552-7000

Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on July 25, 2017, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Michael J. Morris _____